

FORM PTO-1390 (Modified)
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

201-0020

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/530061

INTERNATIONAL APPLICATION NO.
PCT/JP99/06213

INTERNATIONAL FILING DATE
08 November 1999

PRIORITY DATE CLAIMED
09 November 1998

TITLE OF INVENTION

METHOD OF SYNTHESIZING NUCLEIC ACID

APPLICANT(S) FOR DO/EO/US

NOTOMI, Tsugunori and HASE, Tetsu

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☒ Other items or information:

- 1) **UNSIGNED Combined Declaration and Power of Attorney.**
- 2) **Statement re sequence listing with attached diskette.**

U.S. APPLICATION NO. (IF KNOWN, SEE 37)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
09/53006		PCT/JP99/06213		201487/1020	

21. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$970.00
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$840.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$690.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$670.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)	\$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)).	<input type="checkbox"/> 20 <input type="checkbox"/> 30	
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CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	27 - 20 =	7	x \$18.00	\$126.00
Independent claims	3 - 3 =	0	x \$78.00	\$0.00
Multiple Dependent Claims (check if applicable).				\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$966.00
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).				\$0.00
SUBTOTAL =				\$966.00
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00
TOTAL NATIONAL FEE =				\$966.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				\$0.00
TOTAL FEES ENCLOSED =				\$966.00
				Amount to be: refunded \$
				charged \$

CALCULATIONS PTO USE ONLY

☒ A check in the amount of **\$966.00** to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **14-1138** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

MERKEL, Edwin V.
Nixon Peabody LLP
Clinton Square, P.O. Box 1051
Rochester, New York 14603

SIGNATURE

Edwin V. Merkel

NAME

40,087

REGISTRATION NUMBER

April 21, 2000

DATE

EXPRESS MAIL CERTIFICATE

DOCKET NO.: 201487/1020

APPLICANT(S): Notomi et al.

TITLE: METHOD OF SYNTHESIZING NUCLEIC ACID

Certificate is attached to the Preliminary Amendment (5 pages) of the above-named application.

"EXPRESS MAIL" NUMBER: EL434485635US

DATE OF DEPOSIT: April 21, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Box PCT, Washington, D.C. 20231.

Sherri A. Moscato
(Typed or printed name of person
mailing paper or fee)

Sherri A. Moscato
(Signature of person mailing paper or
fee)

EXPRESS MAIL CERTIFICATE

DOCKET NO.: 201487/1020

APPLICANT(S): Notomi et al.

TITLE: METHOD OF SYNTHESIZING NUCLEIC ACID

Certificate is attached to the Statement re sequence listing
w/diskette) of the above-named application.

"EXPRESS MAIL" NUMBER: EL434485635US

DATE OF DEPOSIT: April 21, 2000

I hereby certify that this paper or fee is being
deposited with the United States Postal Service "Express Mail Post
Office to Addressee" service under 37 CFR 1.10 on the date
indicated above and is addressed to the Commissioner of Patents and
Trademarks, Box PCT, Washington, D.C. 20231.

Sherri A. Moscato
(Typed or printed name of person
mailing paper or fee)

Sherri A. Moscato
(Signature of person mailing paper or
fee)